

## C. REMARKS

### ***Status of the Claims***

Claims 1-15 and 20-26 are currently pending. Claims 1-5, 10-14, 20, 21, 25, and 26 are currently amended. Claims 18 and 19 are cancelled. Claims 16 and 17 were previously canceled.

### ***Interview Summary***

On July 5, 2007, Applicants' representative, Amy Pattillo, conducted a telephone interview with Examiner Campbell. No exhibits were shown nor demonstrations presented.

First, Applicants' representative presented a proposed amendment to claim 1, which is currently rejected under 35 USC 102(e) as anticipated by Martin. [Office Action, p. 3] Applicants proposed an amendment which would clarify that the selected frames of claim 1 do not include all the frames and that only the selected frames, but not all the frames are reloaded, by the limitation of "while avoiding reloading the remaining frames not among the selected frames or the target frame from among the plurality of frames" at the end of the claim. The Examiner indicated that the proposed amendment may still read on the selected frames including all the frames other than the target frame, which is taught by Martin. Applicants' representative noted that the programmed logic in the hidden frame in Martin describes determining whether data has changed on a server, and, if data has changed, loading the remainder of the frames on the page; Martin does not teach reloading only a selection of the frames on the page. The Examiner agreed that that Martin is distinguishable from the present invention as stated by Applicants' representative, however, the Examiner indicated that if claim 1 reads so that the selected frames may include all the frames, Martin would teach the elements of the claimed invention. Applicants' representative agreed to revisit the proposed limitation to distinguish that the selected frames include fewer than the total number of frames.

Second, Applicants' representative presented a proposed amendment to claim 10, which is currently rejected under 35 USC 101. [Office Action, p. 2] Applicants proposed an amendment which is similar to the amendment of claim 10 as recited herein, with the addition of "including memory" within the preamble of the claim. During the Interview, the Examiner noted that the proposed amendment, with the addition of a hardware element, such as "including memory" or "including a processor" within the preamble, would overcome the rejection of claim 10 under 35 USC 101.

***Statutory Subject Matter over 35 USC 101***

The Office Action rejects claims 10-15 under 35 USC 101 as being directed to non-statutory subject matter. [Office Action, p. 2] In particular, the Office Action states that "the claims are non-statutory for at least one the reason that they are not tangibly embodied in a manner so as to be executable (i.e. stored on a computer readable storage medium). Further a collection of fields such as a web page (data structure or computer program), per se, is non-functional descriptive material, and is rejected under 35 USC 101 as being a non-patentable abstract idea." [Office Action, p. 2]

Applicants amend claims 10-15 to direct the claims to a system, including a processor, for managing a dynamic web page having a plurality of frames, comprising means for performing multiple management functions. Applicants respectfully assert that claims 10-15 are amended to teach a system which tangibly embodies the claims in manner so as to be executable; a system with means for performing claimed elements is not an abstract idea. Therefore, in view of the amendments to claims 10-15, Applicants respectfully request withdrawal of the rejection under 35 USC 101 and allowance of the claims.

Applicants note that the specification does not specifically recite a client computer with a processor, however, the definition of computer, such as from the Microsoft Computer Dictionary, states that a computer is "any device capable of processing information to produce a desired result." *Microsoft Computer Dictionary*,

5<sup>th</sup> Edition, copyright 2002, p. 118. A processor is a known hardware component of a computer for processing information to produce a desired result. Thus, no new matter is added through the amendment to claim 10.

***Lack of Anticipation under 35 USC § 102(e)***

**Claims 1-15 and 20-26 are not anticipated by Martin**

The Office Action states that claims 1-15 and 18-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin et al. (US Publication 2003/0036975) (herein referred to as Martin). [Office Action, p. 4] Applicants cancel claims 18 and 19. Applicants respectfully traverse the rejections of the pending claims 1-15 and 20-26 under 102(e). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Furthermore the reference must be an enabling disclosure of each and every element as set forth in the claim. *In re Hoecksmas*, 158 USPQ 596, 600 (CCPA 1968); *In re LeGrive*, 133 USPQ 365, 372 (CCPA 1962). Because Martin does not teach each and every element of claims 1-15 and 20-26, as amended, or enable each and every element of these claims, these claims are not anticipated, the rejection should be withdrawn, and the claims should be allowed.

**Claims 1, 10, and 20**

Claim 1, which is representative of claims 10 and 20 with regard to subject matter, currently reads as follows:

1. (Currently Amended) A method for creating a web page adapted to automatically reload selected frames of the web page in response to a trigger event, the method comprising:  
    defining, within the web page, a first frameset comprising a target frame ~~within the web page~~ to serve as a work area for performing programmed logic ~~separate from a plurality of frames of the web page~~ defined in a main frameset;  
    associating an action with the trigger event, the action having the target frame as a target; and

associating the programmed logic with the action, the programmed logic being adapted to specify the selected frames not including at least one frame to avoid reloading from among the [[a]] plurality of frames of the main frameset of the web page other than the target frame and to reload only the selected frames within the web page, regardless of a membership of the selected frames in additional framesets used to create the web page.

The Office Action, in rejecting claim 1, and applying the rejection of claim 1 to claims 10 and 20, states:

Martin discloses defining a target frame within a web page adapted to serve as a work area for performing programming logic, the programming logic being associated with an action that is controlled by a trigger event and that targets the target frame (page 5, paragraph 0058-page 6, paragraph 0063 of Martin). Martin disclose that the logic is adapted specify the selected frames among a plurality of frames of the web page, not including the target frame, and reload only the selected frames regardless of their membership in framesets used to create the web page (page 5, paragraph 0058-page 6, paragraph 0063 of Martin). [Office Action, p. 3, 5, 6]

As noted in the summary of the interview above, Martin describes a target frame with scripts which determine whether any changes have been made to data on a server, and if data changes have been made, triggers loading all the remaining frames on the page. *Martin*, paragraphs 0058-0063. Martin does not teach or enable programmed logic which runs in the target frame which specifies a selection of the frames to reload, where that selection is fewer than all the frames, other than the target frame and controls reloading only the selected frames. In addition, Applicants respectfully assert that Martin does not teach programmed logic which specifically selects frames before reloading the frames, but merely describes that if data at a server has changed, then the remaining frames of the page are reloaded. Thus, Applicants respectfully assert that Martin does not teach programmed logic which is adapted to specify the selected frames to be reloaded and to reload the selected frames, even if the there are instances where the selected frames include all the frames. Therefore, even if the programmed logic of claims 1, 10 or 20, in one

example, specifies all the remaining frames of the web page as the selected frames and reloads the selected frames, Martin still does not read on claims 1, 10 and 20 because Martin does not teach programmed logic which performs any steps of specifying those frames, from among the plurality of frames, to be reloaded and the step in Martin of determining whether to reload all frames is not the equivalent of a step of determining which frames to reload.

Regardless of whether the rejection is correct, however, to expedite the allowance of the present Application, in view of this being the third responsive amendment presented in the present application, Applicants amend the claims to clearly overcome Martin and other cited prior art. In particular, Applicants amend claims 1, 10 and 20 to clarify that the selected frames do not include at least one frame to avoid reloading from among the plurality of frames of the main frameset. Applicants amend claims 1, 10, and 20 to clarify that the main frameset includes a plurality of frames defined separate from the target frame. In particular, Applicants amend the claims to specify that the selected frames do not include at least one of the frames of the main frameset in view of the background of the present invention (paragraphs 0004-0009) and the detailed description of the preferred embodiment (paragraphs 0032-0040) which describe the need for a dynamic web page adapted to reload only selected frames of the web page, and the need to avoid reloading other frames, regardless of the frameset to which the frames belong, to improve response time and reduce network traffic. Applicants amend claims 1, 10, and 20 to clearly teach the example where the programmed logic, in specifying the selected frames, does not include at least one of the frames to avoid reloading from among the plurality of frames within the main frameset and thus, reloads the selected frames in the web page, regardless of the membership of the selected frames in additional framesets used to create the web page.

In particular, the specification describes, in the background of the invention, that “There therefore exists a need for a method of creating a dynamic web page that can be adapted to reload only selected frames of the dynamic web page in response to a

CA920020042US1 12

trigger event, regardless of a membership of the frames in any given frameset". Specification, paragraph 0009. Paragraphs 0032 and 0033 and Figure 3 of the present invention clarify that the frames of the web pages are members of the first frameset which separates the target frame from the other frames in the web page which are defined in the main frameset. Paragraph 0039 of the present invention teaches the programmed logic that instructs the web browser to reload and re-render the selected frames, which include only two specific frames of the three frames in the main frameset. In particular, paragraph 0039 specifies that as instructed by the programming logic, reloading of the third frame, a part of the main frameset, is avoided, to improve response time and reduce network traffic. Thus, clearly the specification of the present invention describes the programmed logic adapted to specify the selected frames not including at least one of the frames to avoid reloading from among the frames of the main frameset, where the main frameset does not include the target frame. Because the specification clearly teaches the claimed amendments, no new matter is added as a result of the amendments to claims 1, 10, and 20.

In addition, in view of the amendments to claims 1, 10, and 20, because it is established that Martin does not teach or enable programmed logic adapted to specify selected frames where the selected frames do not include all the frames of the web page, other than the target frame, it is clear that Martin does not teach or enable the element of claims 1, 10, and 20 of associating the programmed logic with the action, the programmed logic being adapted to specify the selected frames not including at least one frame to avoid reloading from among the plurality of frames of the main frameset and to reload only the selected frames within the web page. Because Martin does not teach or enable all the elements of claims 1, 10, and 20, Martin does not anticipate claims 1, 10, and 20 and the claims should be allowed.

Claims 2-9, 11-15 and 21-26

As to claims 2-9, 11-15, and 21-26, Applicants respectfully assert that because claims 2-9, 11-15, and 21-26 are dependent upon allowable claims 1, 10, and 20, then claims 2-9, 11-15, and 21-26 are also allowable by virtue of the dependency.

In addition, Applicants note that claims 5, 13, 14, and 21 are amended to maintain antecedent basis in view of the amendments to claims 1, 10, and 20. As to claims 2, 11, and 25, Applicants note that paragraphs 0031 and 0032 teach the amended claim elements and therefore no new matter is added through the amended claim elements.

As to claims 3, 12, and 26, Martin does not teach or enable each and every element of claims 3, 12, and 26. Claims 3, which is representative of claims 12 and 26, reads as follows:

3. (Currently Amended) A method as claimed in claim 1~~[[2]] wherein~~  
further comprising:  
responsive to the trigger event occurring, passing the action to the  
trigger area;  
executing the programmed logic associated with the action in the  
work area to collect required data and send a request to a web server  
with the required data for a script to control reloading; and  
responsive to receiving a response in the work area with a script  
and rendering data from the web server, executing the script received  
from the web server to reload the selected frames as specified in the  
script with the rendering data. ~~defining the named frame comprises~~  
~~defining the target frame as a frame having a null dimension.~~

The specification of the present application supports the amendment throughout, and for example, in paragraphs 0039, 0042-0045 and Figure 5, thus no new matter is added through the amendment to the claim.

In addition, only describes scripts for determining whether or not data has changed on a server to determine whether to reload a web page, not for selecting which frames to reload. Therefore, clearly, Martin does not teach executing programmed logic in the work area to collect the required data and send a request to the web server with the required data for a script to control reloading or, responsive to receiving a script and associated rendering data in the work area, executing the script

received from the web server to reload the selected frames as specified in the script with the rendering data. In short, Martin does not teach a client which requests a server to selectively determine which frames to reload and send a script to the client work area to control the selective reloading of selected frames with rendering data. In contrast, claims 3, 12, and 26 are amended to teach executing the programmed logic associated with the action in the work area to collect required data and send a request to a web server with the required data for a script to control reloading and responsive to receiving a response in the work area with a script and rendering data from the web server, executing the script received from the web server to reload the selected frames as specified in the script with the rendering data. Because Martin does not teach the elements of claims 3, 12, and 26, Martin does not anticipate claims 3, 12, and 26 and the claims should be allowed.

As to claim 7, Applicants respectfully assert that Martin does not teach or enable the claimed element of accessing server-side functions in dependence on a predefined set of conditions, wherein the server-side functions return the programmed logic for directing client-side reloading of only the selected frames. The Office Action rejects claim 7 under paragraphs 0058-0063 of Martin, as with the rejection of claims 1, 10, and 20. [Office Action, p. 4] As previously noted, Martin describes programmed logic in a hidden frame, which when triggered, queries a server to determine if data has changed at the server by checking whether a flag at the server is set to “true” or “false”. *Martin*, paragraphs 0058-0062. Checking the status of a flag at a server side does not teach the server-side function returning programmed logic. Further, in particular, checking the status of a flag at a server side as described in Martin does not teach returning programmed logic from the server-side to the client for directing client-side reloading of only the selected frames as claimed in claim 7. Therefore, because Martin does not teach each and every element of claim 7, claim 7 is not anticipated and should be allowed.

As to claims 8 and 15, Applicants respectfully assert that Martin does not teach the claimed elements. In particular, Martin does not teach associating said action



with a link to a dynamic uniform resource locator, wherein said dynamic uniform resource locator directs access to said server-side functions and accessing server-side functions in dependence on a predefined set of conditions, wherein the server-side functions return the programmed logic for directing client-side reloading of only the selected frames in claim 8 or wherein the action attribute comprises a uniform resource locator (url) of a dynamic web page that includes the script and effects the downloading of the dynamic web page to the target frame, and the script with rendering information provides a set of instructions that include instructions for reloading only the respective selected frames, regardless of respective membership of the selected frames in framesets of the web page in claim 15. As previously noted, Martin describes programmed logic in a hidden frame, which when triggered, checks a server data flag to determine if data has changed at the server. *Martin*, paragraphs 0058-0062. Checking a server data flag does not teach associating a link to a dynamic url with an action, where the dynamic url directs access to server side functions and then accessing these server-side function from the dynamic url, in dependence on a predefined set of conditions when the action is triggered. Therefore, because Martin does not teach each and every element of claims 8 and 15, Martin does not anticipate these claims and the claims should be allowed.

### ***Conclusion***

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims is respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment. **In particular, if the Examiner proposes an amendment to claims 1, 10, and 20 which would further clarify that the selected frames do not include all the frames to place the claims in condition for allowance, Applicants respectfully request that the Examiner telephone the undersigned to discuss an Examiner's Amendment.**

No extension of time is believed to be necessary. If, however, an extension of time is required, the undersigned hereby authorizes the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

By /Amy J. Pattillo, Reg. No. 46,983/

AMY J. PATTILLO

Registration No. 46,983

P.O. BOX 161327

AUSTIN, TEXAS 78716

ATTORNEY FOR APPLICANTS

Telephone: 512-402-9820

Facsimile: 512-306-0417